

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JASON KINSFATHER,

Plaintiff,

v.

PIERCE COUNTY, STEPHEN THOMAS  
MORALES,

Defendant.

Case No. C09-5129RBL

ORDER

THIS MATTER comes on before the above-entitled Court upon Plaintiff's Motion for Reconsideration [Dkt. #31]. Having considered the entirety of the records and file herein, the Court finds and rules as follows:

Plaintiff seeks reconsideration of this Court's Order Adopting the Report and Recommendation of Magistrate Judge J. Richard Creatura dismissing Pierce County from this lawsuit. The record reflects the Order was entered on July 24, 2009 and that plaintiff filed the instant motion for reconsideration on October 21, 2009. Even taking into account that plaintiff did not receive the Order until shortly after August 14, 2009 due to an address change, the motion was filed over two months after the Court's Order was received by plaintiff. Local Rule CR7(h) requires that motions for reconsideration be filed within ten days of entry of the Order objected to. Plaintiff's motion is not timely. Furthermore, the motion fails to show manifest error in the Court's prior order, nor does plaintiff present new facts or legal authority which

1 he could not have brought to the Court's attention earlier. See Local Rule CR7(h). Plaintiff's Motion for  
2 Reconsideration [Dkt. #31] is **DENIED**.

3 **IT IS SO ORDERED.**

4 The Clerk shall send uncertified copies of this order to all counsel of record, and to any party  
5 appearing pro se.

6 Dated this 9<sup>th</sup> day of November, 2009.

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9 RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE